

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
RALEIGH DIVISION

In re:

Case No. 10-01318-8-SWH

Steven Allen Hommel

S.S. No. xxx-xx-6946

Mailing Address: 1000 Lamberley Court, Wake Forest, NC
27587

Debtor.

MOTION

NOW COMES the Debtor, by and through counsel undersigned, and moves this Court for an Order permitting the Debtor to make direct payment to his Chapter 13 plan in this case. In support hereof, the Debtor shows the following:

1. This case was filed on February 22, 2010.
2. The Debtor has expressed privacy concerns with regard to his employment position. He fears that knowledge of his Chapter 13 by his coworkers and supervisors could hinder and jeopardize his employment.
3. During his §341 Examination on March 31, 2010, Mr. Hommel emphasized the importance of avoiding putting his employer on notice by way of a wage order from the Chapter 13 Trustee. He expressed his genuine concern and fear that such an order would result in adverse employment action by his employer.
4. The Debtor understands that if he becomes more than thirty days late in payment, then a wage order may be issued.

WHEREFORE, the Debtor prays that this Court enter an Order allowing for the direct payment of his Chapter 13 plan, as opposed to a payroll deduction, and for such other and such other and further relief as to the Court seems just and proper.

Dated: April 26, 2010

LAW OFFICES OF JOHN T. ORCUTT, P.C.

/s/John T. Orcutt

John T. Orcutt

Attorney for the Debtor
6616-203 Six Forks Road
Raleigh, N.C. 27615
(919) 847-9750

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NOTICE OF MOTION

The Debtors have filed a Motion for direct payment to the Chapter 13 Trustee.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to grant the relief sought in this motion, or if you want the court to consider your views on the motion, then on or before August 24, 2009, you or your attorney must file with the court, pursuant to E.D.N.C. LBR 9013-1 and 9014-1, a written response, an answer explaining your position, and a request for hearing at: Clerk, U.S. Bankruptcy Court, Post Office Box 1441, Raleigh, NC 27602-1441.

If you mail your response to the court for filing, you must mail it early enough so that court will receive it on or before the date stated above. **You must also mail a copy to** the Law Offices of John T. Orcutt, P.C., 6616-203 Six Forks Road, Raleigh, NC 27615.

If a response and a request for hearing is filed in writing on or before the date set above, a hearing will be conducted on the motion at a date, time and place to be later set and all parties will be notified accordingly. If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in this motion and may enter an order granting that relief.

LAW OFFICES OF JOHN T. ORCUTT, P.C.

/s/ John T. Orcutt

John T. Orcutt

Attorney for the Debtor

6616-203 Six Forks Road

Raleigh, N.C. 27615

(919) 847-9750

CERTIFICATE OF SERVICE

I, Koury L. Hicks, of the Law Offices of John T. Orcutt, P.C., do hereby certify, under penalty of perjury, that I am, and at all times hereinafter mentioned was, more than eighteen (18) years of age; and that on April 29, 2010, I served copies of the foregoing Motion and Notice of Motion upon the parties set forth below:

John F. Logan
Ch. 13 Trustee
P.O. Box 61039
Raleigh, NC 27661-1039

Unless **electronic noticing** was indicated on the confirmation provided up in the filing of such document(s), service was accomplished by regular U.S. mail, first-class postage pre-paid.

/s/Koury L. Hicks
Koury L. Hicks